

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA,

Plaintiff,

V.

DAVID CURTIS,

Defendant.

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) No. 4:99CR464DJS
) 99-7160M

NOV X 4 1999
U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

ORDER SETTING CONDITIONS OF RELEASE

IT IS HEREBY ORDERED that the release of the defendant is subject to the following conditions:

1. The defendant shall not commit any offense in violation of federal, state or local law while on release in this case.
2. The defendant shall immediately advise the U. S. Pretrial Services Agency, in writing, of any change in address and telephone number.
3. The defendant shall appear at all proceedings as required and shall surrender for service of any sentence imposed as directed. The defendant shall next appear at the United States District Court, 1114 Market Street, St. Louis, Missouri, for Sentencing on December 17, 1999 at 9:30 A.M. , before Judge Donald J. Stohr.

Release on Personal Recognizance or Unsecured Bond

IT IS FURTHER ORDERED that the defendant be released provided that:

- () 4. On personal recognizance, the defendant promises to appear at all proceedings as required and to surrender for service of any sentence imposed.
- (X) 5. The defendant executes an unsecured bond binding the defendant to pay the United States the sum of Five Thousand Dollars (\$5,000.00) in the event of a failure to appear as required or to surrender as directed for service of any sentence imposed.

Additional Conditions of Release

Upon finding that release by one of the above methods will not by itself reasonably assure the appearance of the defendant and the safety of other persons and the community,

IT IS FURTHER ORDERED that the release of the defendant is subject to the conditions marked below:

- () 6. The defendant is placed in the custody of:
(Name of person or organization) _____
(Address) _____
(City and State) _____
(Tel. No.) _____

who agrees (a) to supervise the defendant in accordance with all conditions of release, (b) to use every effort to assure the appearance of the defendant at all scheduled court proceedings, and (c) to notify the court immediately in the event the defendant violates any conditions of release or disappears.

Date

Signed: _____
Custodian or Proxy

#9

- (X) 7. The defendant shall:
- (X) (a) maintain or actively seek employment.
 - () (b) maintain or commence an educational program.
 - (X) (c) abide by the following restrictions on personal association, place of abode, or travel:
(1) Defendant shall remain within this judicial district unless written permission for travel outside the district is given by the U.S. Pretrial Services Agency after consultation with the federal prosecutor or the Court.
(2) _____
 - (X) (d) avoid all contact with persons who are considered either alleged victims or potential witnesses.
 - (X) (e) report on a regular basis to and submit to supervision by the **U.S. Pretrial Services Agency, 1114 Market Street, Room 635, St. Louis, MO, 63101, Phone No: 314-539-2931.**
 - () (f) comply with the following curfew: _____
 - () (g) refrain from possessing a firearm, destructive device, or other dangerous weapon.
 - (X) (h) refrain from excessive use of alcohol, and any use or unlawful possession of a narcotic drug and other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
 - () (i) undergo medical or psychiatric treatment and/or remain in an institution, as follows:

 - (X) (j) execute a bond or an agreement to forfeit upon failing to appear as required, the following sum of money or designated property: Five Thousand Dollars (\$5,000.00)Unsecured.
 - () (k) post with the court the following indicia of ownership of the above-described property, or the following amount or percentage of the above-described money:____

 - () (l) execute a bail bond with solvent sureties in the amount of \$_____
 - () (m) surrender any passport to the Clerk of the United States District Court.
 - () (n) obtain no passport.
 - (X) (o) report, as soon as possible, to the U.S. Pretrial Services Agency any contact with any law enforcement personnel, including any arrest or questioning.
 - () (p) participate, as directed by the U.S. Pretrial Services Agency, in a drug or alcohol abuse treatment program which may include urine testing, and/or other forms of drug screening, counseling, residence in a Community Corrections Center or in-patient treatment in a treatment center or hospital.
 - () (q) reside in _____ and participate in its programs, including drug and/or alcohol abuse treatment, as directed by the U.S. Pretrial Services Agency.
 - () (r) be placed on house arrest with electronic monitoring and remain on house arrest with the exception of court appearances, conferences with counsel, medical necessities, work and employment seeking services, subject to prior approval of the U.S. Pretrial Services Agency.
 - () (s) wear, at all times, an electronic monitoring device under the supervision of the U.S. Pretrial Services Agency; not have on the line to which the monitoring equipment is connected party lines, telephone answering machines, cordless telephones, "call forwarding," "Caller ID," "call waiting," and other devices or services that may interfere with the proper functioning of the electronic monitoring equipment.

Advice of Penalties and Sanctions

Violation of any of the foregoing conditions of release may result in the immediate issuance of a warrant for the defendant's arrest, a revocation of release, an order of detention, as provided in 18 U.S.C. §3148, and a prosecution for contempt as provided in 18 U.S.C. §401 which could result in a possible term of imprisonment and/or a fine.

The commission of any offense while on pretrial release may result in an additional sentence upon conviction for such offense to a term of imprisonment of not more than ten years, if the offense is a felony; or a term of imprisonment of not more than one year, if the offense is a misdemeanor. This sentence shall be consecutive to any other sentence and must be imposed in addition to the sentence received for the offense itself.

18 U.S.C. §1503 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to intimidate or attempt to intimidate a witness, juror or officer of the court; 18 U.S.C. §1510 makes it a criminal offense punishable by up to five years in jail and a \$250,000 fine to obstruct a criminal investigation; 18 U.S.C. §1512 makes it a criminal offense punishable by up to ten years in prison and a \$250,000 fine to tamper with a witness, victim or informant; and 18 U.S.C. §1513 makes it a criminal offense punishable by up to ten years in jail and a \$250,000 fine to retaliate against a witness, victim or informant, or threaten or attempt to do so.

It is a criminal offense under 18 U.S.C. §3146, if after having been released, the defendant knowingly fails to appear as required by the conditions of release, or to surrender for the service of a sentence, or appeal or certiorari after conviction, for:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more, the defendant shall be fined not more than \$250,000 or imprisoned for not more than ten years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years, the defendant shall be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony, the defendant shall be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor, the defendant shall be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender shall be consecutive to the sentence of imprisonment for any other offense. In addition, a failure to appear may result in the forfeiture of any bail posted.

Acknowledgment of Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and to surrender for service of any sentence imposed. I am aware of the penalties and sanctions set forth above.

David Curtis

Signature of Defendant

ADDRESS: 210 Flynn Court

St. Peters, Missouri 63376

TELEPHONE NO.: 636-936-2594

Directions to United States Marshal

- (X) The defendant is **ORDERED** released after processing.
- () The United States Marshal is **ORDERED** to keep the defendant in custody until notified by the clerk of judicial officer that the defendant has posted bond and/or complied with all other conditions for release. The defendant shall be produced before the appropriate judicial officer at the time and place specified, if still in custody.

Date: _____

Mary Ann L. Medler

MARY ANN L. MEDLER

UNITED STATES MAGISTRATE JUDGE

SCANNED & FAXED BY:
NOV - 5 1999
C. L. F.